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Practitioner's Docket No. 49603 (71699)

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: De Juan et al.
Application No.: 09/523,767
Filed: March 11, 2000
For: INSTRUMENTS FOR TRANSCONJUNCTIVAL SUTURELESS VITREOUS SURGERY

Group No.: 3731
Examiner: J. Baxter

Commissioner for Patents and Trademarks
Washington, D.C. 20231

CHANGE OF ATTORNEY'S ADDRESS IN APPLICATION

NOTE: Section 601.03 (Change of Correspondence Address), M.P.E.P., 7th Edition states:

"Where an attorney or agent of record (or applicant, if he or she is prosecuting the application pro se) changes his or her correspondence address, he or she is responsible for promptly notifying the Patent and Trademark Office of the new correspondence address (including ZIP code number). The notification should also include his or her telephone number. A change of correspondence address may not be signed by an attorney or agent not of record (see MPEP Section 405).

"Unless the correspondence address is designated as the address associated with a Customer Number, a separate notification must be filed in each application for which a person is intended to receive communications from the Office. See MPEP Section 403 for Customer Number Practice. In those instances where a change in the correspondence address of a registered attorney or agent is necessary in a plurality of applications, the notification filed in each application may be a reproduction of a properly executed, original notification. The original notice may either be sent to the Office of Enrollment and Discipline as notification to the Attorney's Roster of the change of address, or may be

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. Section 1.8(a))

I hereby certify that, on the date shown below, this correspondence is being:

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Susan M. Dillon
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Date: 6/11/02

Susan M. Dillon
(type or print name of person certifying)

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filed in one of the applications affected, provided that the notice includes an authorization for the public to inspect and copy the original notice in the event one of the applications containing a copy matures into a patent and the application containing the original paper is either pending or has become abandoned. Alternatively, the paper containing the original signature may be retained by applicant. See MPEP Section 502.02. The copies submitted in each affected application must identify where the original paper is located.

"Special care should be taken in continuation or divisional applications to ensure that any change of correspondence address in a prior application is reflected in the continuation or divisional application. For example, where a copy of the oath or declaration from the prior application is submitted for a continuation or divisional application filed under 37 CFR 1.53(b) and the copy of the oath or declaration from the prior application designates an old correspondence address, the Office may not recognize, in the continuation or divisional application, the change of correspondence address made during the prosecution of the prior application. Applicant is required to identify the change of correspondence address in the continuation or divisional application to ensure that communications from the Office are mailed to the current correspondence address. 37 CFR 1.63(d)(4).

"See MPEP Section 711.03(c) for treatment of petitions to revive applications abandoned as a consequence of failure to timely receive an Office action addressed to the old correspondence address.

"The required notification of change of correspondence address need take no particular form. However, it should be provided in a manner calling attention to the fact that a change of address is being made. Thus, the mere inclusion, in a paper being filed for another purpose, of an address which is different from the previously provided correspondence address, without mention of the fact that an address change is being made would not ordinarily be recognized or deemed as instructions to change the correspondence address on the file record."

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SIGNATURE OF PRACTITIONER

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